IN THE HIGH COURT OF JUDICTURE FOR RAJASTHAN AT JODHPUR.

O R D E R

Ms. Pushpa. Versus Union of India & Anr.

S.B. Civil Writ Petition No. 3783/2005.

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Date of Order: February 27, 2007

PRESENT

HON'BLE MR. JUSTICE H.R. PANWAR

Mr. Deepesh Beniwal, for the petitioner.
Mr. Kamal Dave, for the respondents.

BY THE COURT:

By the instant writ petition under Article 226 of the Constitution of India, the petitioner seeks a direction to the respondents to give due weightage to his participation in the tournaments held by Navodaya Vidhyalaya Samiti vide Annx. 1 and Annx.2 and then draw his merit by adding bonus marks for participation in the National Level Sports competition.

I have heard learned counsel for the parties.

A reply to the writ petition has been filed by the

respondents, wherein it has been stated that the certificate Annx.2 pertains to participation of the petitioner in the sports exclusively organized by the Navodaya Vidhyalaya Samiti, Jaipur Region (Rajasthan, Haryana and Delhi) and, therefore, it is not a National Level Meet and no additional or bonus marks for such participation is available for such a sports competition/participation.

The criteria, as has been mentioned in the reply for awarding additional/bonus marks for participation in NCC and National Sports and Games provides as under:-

(1)The holder of the NCC "B" Certificate will be given weightage of two marks.

(2)The NCC "C" Certificate holder will be given a weightage of 5 marks.

(3)National School Games will be given a weightage of 2 marks. National School Games does not include inter-school games but includes games at National Level where all the schools participate for participation in inter-University sports, two marks are provided.

(4)For inter-State sports, 4 marks and lastly for international sports, 5 marks are provided as weightage for the above participation.

From a perusal of the reply, as also the contentions raised by the learned counsel for the parties, in my view, the petitioner has failed to establish that she participated in the National Games and Sports. For entitling 2 bonus marks, one has to satisfy the criterion No.3 noticed above i.e. participation in

National School Games at National level where all the schools participate for participation in inter-university sports, whereas admitted case of the petitioner as per Annexure-P/1, participation of petitioner is sports organized by Novadaya Vidhyalaya Samiti, Jaipur Region (Rajasthan, Haryana and Delhi) which is a Regional Sports and not the National School Games and, therefore, the petitioner is not entitled for any add or weightage of marks.

The writ petition is, therefore, dismissed. The stay petition also stands dismissed. There shall be no order as to costs.

(H.R. PANWAR), J.

mcs